

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRYAN KEITH RICHARDSON,

Plaintiff,

v.

S. SPAULDING, *et al.*,

Defendants.

NO. 3:18-CV-0540

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SCHWAB)

**ORDER**

NOW, this 14<sup>th</sup> day of November, 2019, upon consideration of the Report and Recommendation (Doc. 99) of Magistrate Judge Susan E. Schwab for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 99) is **ADOPTED**.
- (2) Defendants' Motion to Dismiss and/or for Summary Judgment (Doc. 84) is **GRANTED**.<sup>1</sup>
- (3) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo  
United States District Judge

---

<sup>1</sup>

As explained by Magistrate Judge Schwab, the action could also be dismissed for failure to prosecute in accordance with *Poulis v. State Farm Fire & Cas. Co.*, 747 F.2d 863 (3d Cir. 1984).